

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Attorney Docket No. A33895 MBHB Case No. 04-874-B

In re the Application of:	)
	)
Chae-Moon Lee et al.	)
	) Examiner: Afsar M. Qureshi
Serial No.: 09/752,918	)
	) Group Art Unit: 2667
Filed: January 2, 2001	)
	) Confirmation No. 1247
For: BASE STATION CONTROLLER	)
IMT-2000 SYSTEM	)
Mail Chan Ianua Eas	

Mail Stop Issue Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

The Applicants express appreciation for the allowance of the claims in the present application. The Applicants note the Examiner's Reasons for Allowance, but further comment that the art of record, alone and in combination, fails to show, teach or suggest the entirety of each combination of steps and/or structure recited by each of the allowed claims of the present invention.

The Applicants respectfully submit that the reasons for allowance are only warranted in instances in which the record of the prosecution as a whole does not make clear his or her reasons for allowing a claim or claims. In light of the original disclosure, previous Office Actions and responses, however, the Applicants believe that the record as a whole does make the reasons for allowance clear. The Applicants do not necessarily agree with each statement in the reasons for allowance. The Applicants believe that the statement of reasons for allowance in this case is improper as it merely paraphrases or copies limitations of the claims into the reasons for

allowance. Moreover, the Applicants are not sure what the Examiner is referring to by the phrase "subdata." While the Applicants believe that the claims are allowable, the Applicants do not acquiesce that patentability resides in the features, as explicitly set forth in the claims, nor that each feature is required for patentability.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Date: August 18, 2005

Robert J. Irving II

Reg. No. 41,865



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#### TRANSMITTAL LETTER

Mail Stop Issue Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In regard to the above identified application,

- 1. I am transmitting herewith the attached:
  - a) Issue Fee Transmittal PTOL-85 Part B;
  - b) Submission of Replacement Drawing Sheet;
  - c) Replacement Drawing Sheet;
  - d) Comments on Statement of Reasons for Allowance;
  - e) Check for \$1,700.00; and
  - f) Return Receipt Postcard.
- 2. With respect to fees:
  - a) A check in the amount of \$1,700.00 is enclosed for payment of the Issue and Publication Fees
  - b) Please charge any underpayment or credit any overpayment to Deposit Account, No. 13-2490.
- 3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 18, 2005.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Date: August 18, 2005

By:

Robert J. Irvine III Reg. No. 41,865



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### SUBMISSION OF REPLACEMENT DRAWING SHEET

Mail Stop Issue Fee - Attn: Official Draftsman Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

We have now procured and enclose herewith the replacement drawing sheet, Figure 3, for this application. Prompt consideration of this submission is respectfully requested and a favorable determination is earnestly solicited.

Respectfully submitted,

McDonnell, Boehnen, Hulbert, and Berghoff LLP

Date: August 18, 2005

Robert J. Irvine/III Registration No. 41,865